## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Toshio NOMURA et al.

Allowed: August 26, 2008

Application No.: 10/550,710

Confirmation No.: 4015

Filed: September 26, 2005

Art Unit: 2628

For: 3-DIMENSIONAL IMAGE CREATING
APPARATUS, 3-DIMENSIONAL IMAGE
REPRODUCING APPARATUS, 3-
DIMENSIONAL IMAGE PROCESSING
APPARATUS, 3-DIMENSIONAL IMAGE
PROCESSING PROGRAM AND RECORDING
MEDIUM RECORDED WITH THE PROGRAM

Examiner: Kimbinh Nguyen

## PETITION TO WITHDRAW APPLICATION FROM ISSUE PURSUANT TO 37 CFR 1.313 (c) (1-3)

MS Post Issue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Madam:

Petitioner hereby petitions the Commissioner to withdraw the above-identified application from issue. The Issue Fee in this application was timely paid on November 26, 2008.

It is requested that the above-mentioned application be withdrawn from Issue for the following reason:

☐ Unpatentability of one or more claims, which petition must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable (37 C.F.R. § 1.313(c)(1));

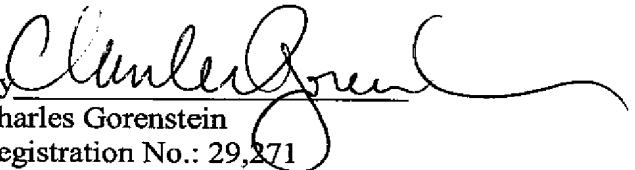Birch, Stewart, Kolasch & Birch, LLP

CG//jm

☒    Consideration of a request for continued examination in compliance with § 1.114 (37 C.F.R. § 1.313(c)(2)); or

☐    Express abandonment of the application. Such express abandonment may be in favor of a continuing application (37 C.F.R. § 1.313(c)(3)).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: February 18, 2009            Respectfully submitted,

By: Charles Gorenstein
Registration No.: 29,271
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

CG//jm